



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
SOLID WASTE AND EMERGENCY RESPONSE

JUN 24 1997

MEMORANDUM

SUBJECT: National Remedy Review Board Recommendations on the
Anaconda Smelter Superfund Site

FROM: Bruce K. Means, Chair
National Remedy Review Board

A handwritten signature in black ink, appearing to read "B. Means", is written over the printed name of Bruce K. Means.

TO: John Wardell, Director
Montana Operations Office, EPA Region 8

Max Dodson, Assistant Regional Administrator
Office of Ecosystems Protection and Remediation, EPA Region 8

Purpose

The National Remedy Review Board (NRRB) has completed its review of the proposed remedial action for the Anaconda Smelter Superfund site in Southwestern Montana. This memorandum documents the NRRB's advisory recommendations.

Context for NRRB Review

As you recall, the Administrator announced the NRRB as one of the October 1995 Superfund Administrative Reforms to help control remedy costs and promote consistent and cost-effective decisions. The NRRB furthers these goals by providing a cross-regional, management-level, "real time" review of high cost (and thus potentially controversial) proposed response actions. The Board will review all proposed cleanup actions where: (1) the estimated cost of the preferred alternative exceeds \$30 million, or (2) the preferred alternative costs more than \$10 million and is 50% more expensive than the least-costly, protective, ARAR-compliant alternative. The NRRB review evaluates the proposed actions for consistency with the National Contingency Plan and relevant Superfund policy and guidance. It focuses on the nature and complexity of the site; health and environmental risks; the range of alternatives that address site risks; the quality and reasonableness of the cost estimates for alternatives; Regional, State/tribal, and other stakeholder opinions on the proposed actions (to the extent they are known at the time of review); and any other relevant factors.

Generally, the NRRB makes “advisory recommendations” to the appropriate Regional decision maker before the Region issues the proposed plan. The Region will then include these recommendations in the Administrative Record for the site. While the Region is expected to give the Board’s recommendations substantial weight, other important factors, such as subsequent public comment or technical analyses of remedial options, may influence the final Regional decision. It is important to remember that the NRRB does not change the Agency’s current delegations or alter in any way the public’s role in site decisions.

NRRB Advisory Recommendations

The NRRB reviewed the site package for the Anaconda Smelter Superfund site and discussed related issues with EPA Remedial Project Managers Julie DalSoglio and Charlie Coleman, EPA Superfund Branch Chief Bob Fox, EPA Montana Office Director John Wardell and State of Montana representatives Vic Andersen and Mary Capdeville on March 19, 1997. The NRRB continued its discussion with Julie DalSoglio, Charlie Coleman, and EPA toxicologist Dale Hoff on April 24, 1997. Based on this review and discussion, the NRRB generally supports the Region’s preferred alternative. The Board also makes the following recommendations:

- o The Board understands that the Proposed Plan would call for extensive engineering controls should groundwater quality standards be exceeded at either point of compliance for the Opportunity or Anaconda Ponds. The Board recommends that the Region conduct additional analysis of groundwater remedial alternatives when monitoring indicates contamination has migrated beyond either of these points of compliance.
- o Given the large area proposed for remediation and the likelihood that site land uses will continue to be mixed, the Region should tailor remediation driven by ecological endpoints to those areas where the results are reasonably expected to be sustained. The Board recommends that the Region work closely with the state, local community, the PRPs, and other federal agencies in making this determination.
- o During remedial design it may be possible to take advantage of existing soil or hydrogeologic characteristics to refine and focus the extent or intensity of remediation work and still achieve the desired remediation endpoints in a reasonable timeframe. The Region should continue to examine key areas in more detail to refine the number of acres needing the various levels of remediation to optimize the cost-effectiveness of the revegetation.

The NRRB appreciates the Region’s efforts to work closely with the State and community to identify the current proposed remedy. The Board members also express their appreciation to both the Region and the State of Montana for their participation in the review process. In particular the Board wishes to thank Julie DalSoglio for her thorough and effective presentation. The NRRB encourages Region 8 management and staff to work with their Regional NRRB representative and the Region 3/8 Accelerated Response Center at Headquarters to discuss appropriate follow-up actions.

Please do not hesitate to give me a call if you have any questions at 703-603-8815.

cc: T. Fields
S. Luftig
B. Breen
E. Cotsworth
T. Sheckells